

Before being appointed Governor last fall, he had been elected to 13 consecutive terms as secretary of state, and he had become one of the most popular and well-respected men in the State.

The last week of his life was a time of particular fulfillment for Governor Bolin, as he came to Washington to represent his State at the National Governors' Conference. He dined with us at the White House and danced with Rosalynn to begin the evening's entertainment. We join the many others who knew the warmth of his personality and are saddened by his death.

Labor Disputes in the Coal Industry

Executive Order 12042. March 6, 1978

CREATING A BOARD OF INQUIRY TO REPORT ON LABOR DISPUTES AFFECTING THE BITUMINOUS COAL INDUSTRY IN THE UNITED STATES

The existing labor disputes between coal mine operators engaged in the production of bituminous coal in the United States or coal mine contractors engaged in construction work in and around coal mines in the United States and certain of their employees represented by the United Mine Workers of America and its locals and affiliates have resulted in strikes in a substantial portion of the coal industry. In my judgment these strikes affect a substantial portion of the bituminous coal industry, an industry engaged in trade, commerce, transportation and transmission among the States and with foreign nations, and will, if permitted to continue, imperil the national health and safety.

NOW, THEREFORE, by virtue of the authority vested in me by Section 206 of

the Labor Management Relations Act of 1947, 61 Stat. 155, as amended (29 U.S.C. 176), I hereby create a Board of Inquiry to inquire into the issues involved in the dispute. I appoint as members of that Board:

John N. Gentry, Chairman
Eva Robins
Carl A. Warns

The Board shall have the powers and duties set forth in Title II of the Labor Management Relations Act and shall report to me, in accordance with the provisions of the Act, as expeditiously as possible. Upon submission of its report, the Board shall continue in existence to perform the functions required of it under the Act.

JIMMY CARTER

The White House,
March 6, 1978.

[Filed with the Office of the Federal Register,
1:34 p.m., March 6, 1978]

Labor Disputes in the Coal Industry

Remarks Announcing Invocation of the Taft-Hartley Act. March 6, 1978

A majority of the United Mine Workers have now rejected the negotiated coal contract. I'm disappointed that this agreement was not approved. But I recognize that the United Mine Workers' system of collective bargaining requires approval by union members before a contract can take effect.

My policy has been to do everything possible to help the collective bargaining process produce a settlement. But this rejection by the United Mine Workers' collective bargaining is now at an impasse.

The coal strike is 3 months old. The country cannot afford to wait any longer.

Coal supplies have been reduced to a critical level throughout the Midwest.

Tens of thousands of people are already out of work because factories have laid off workers to conserve fuel. Power curtailments have reached 50 percent in Indiana, 30 percent in West Virginia, and critical levels in other parts of the Midwest. One month from now, at least a million more Americans would be unemployed if the coal strike continued.

My responsibility is to protect the health and safety of the American public, and I intend to do so.

I've ordered the Attorney General, under the Taft-Hartley Act, to prepare for an injunction to require the miners to return to work and the mineowners to place the mines back into production.

I've appointed a Board of Inquiry and asked it to report back to me as soon as possible to begin the emergency dispute-settling procedure under the Taft-Hartley Act.

In addition, I've asked the Attorney General and the Governors of the affected States to make certain that the law is obeyed, that violence is prevented, and that lives and property are fully protected.

The Department of Energy will use, as necessary, its allocation powers to minimize the effects of fuel shortage on regions which are most dependent on coal by moving energy resources to places where they are most urgently needed. We will depend on the free and voluntary distribution of energy whenever possible.

I have not taken this action lightly. These steps are absolutely necessary if our Nation is not to be the innocent victim of a total breakdown of the collective bargaining process.

I expect that all parties affected by these actions will cooperate fully and abide completely by the law. Under a Taft-Hartley injunction, miners ordinarily are required by law to return to work under the existing contract, unless

more acceptable terms can be negotiated nationwide between management and labor.

During recent negotiations, both mine-workers and operators agreed on new wages to begin in 1978. When the Taft-Hartley injunction takes effect, we will seek to permit any company to offer this new wage settlement to those who return to work under the injunction.

The new 1978 wage package is a generous one which reflects the special conditions of coal mining. And I must say quite frankly that I do not support and would personally oppose any more liberal and inflationary wage settlement.

The best permanent solution to this dispute is a settlement reached through collective bargaining. While the Taft-Hartley injunction is in effect, I will take steps to see that all parties resume negotiations as rapidly as possible. Whenever negotiated coal contracts are ratified by the UMW membership, the Taft-Hartley injunction will be lifted.

The difficult and dangerous work of coal miners has helped America prosper and grow strong. For too many years in the past, the miners, their parents, and their grandparents paid an unfair and bitter price for working in the mines. They often did not have the safety protection they needed. And they did not receive compensation for black lung disease and other hazards that they encounter daily.

More improvements are still needed in these working conditions for miners. But we have made important progress. I recently signed legislation, passed by Congress, that will significantly improve both black lung benefits and the enforcement of Federal health and safety standards in the coal mines.

As Americans, we all share the responsibility for preserving the health and safety of our country, which is now in

danger. The labor laws of our country, of the United States, have been written to protect our Nation and at the same time to protect the rights of workers.

In times of crisis, the law binds us together. It allows us to make decisions openly and peacefully, and it gives us, through the courts and legal procedures, means to resolve disputes fairly. Respect for the rule of law ensures the strength of our Nation. The law will be enforced.

As President, I call on the mineworkers, the coal mine operators, and all Americans to join in a common effort under the law to protect our country, to preserve the health and safety of our people, and to resolve fairly the differences which have already caused so much suffering and division in our land.

Thank you very much.

NOTE: The President spoke at 12:32 p.m. in the Briefing Room at the White House. His remarks were broadcast live on radio and television.

United States-United Kingdom Air Services Agreement

*Letter to the Chairman of the Civil
Aeronautics Board. March 6, 1978*

To Chairman Alfred Kahn

I have examined your order (Docket 32183) dated February 28, 1978, which proposes to take certain actions regarding air fares and services between points in Texas and London.

The Board and I share the same commitment to low-priced, competitive air transportation, a principle embodied in Article 12, Section 2 of the US-UK Air Services Agreement of 1977 (Bermuda II). I agree with the Board that the action of the British government in rejecting low-fare tariffs filed by Braniff International Airways for its new Dallas/Ft.

Worth-London route is inconsistent with Bermuda II.

I note, however, that negotiations with the British government concerning this matter began on February 10 and resume today for the period March 6 through March 17. I am confident that during these negotiations the British government will adopt a position consistent with Bermuda II, and I therefore request that you withdraw your order at this time. If a satisfactory resolution with the British is not reached by March 17, I will reconsider the need for unilateral action by the United States.

Sincerely,

JIMMY CARTER

[The Honorable Alfred Kahn, Chairman,
Civil Aeronautics Board, Washington, D.C.
20428]

Energy Emergency in Maryland

Statement by the President. March 7, 1978

Based on a petition submitted to me by the Governor of the State of Maryland, pursuant to Section 110(f) of the Clean Air Act, I hereby determine that an energy emergency exists in the service area of the Potomac Edison Company of such severity that a temporary suspension of certain particulate regulations under the Maryland Air Quality Implementation Plan may be necessary, and that other means of responding to the energy emergency may be inadequate. This determination shall be effective for not more than thirty (30) days, provided that the State of Maryland shall hold the public hearing required by Section 110(f) of the Clean Air Act within 1 week of this determination. If, during the period of suspension, I find that this energy emergency no longer exists, I will direct that this determination of energy emergency be re-